



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant(s):	Friddle et al.	
Application No.:	09/940,919	
Filed:	August 28, 2001	Group Art Unit: 1653
Title:	Novel Human GABA Transporter Protein and Polynucleotides Encoding the Same	Examiner: To Be Assigned
Attorney Docket No.:	LEX-0228-USA	

Assistant Commissioner for Patents
Arlington, VA 22202

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Supplemental Information Disclosure Statement is submitted:

- ☒ under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☐ under 37 CFR 1.97(c) together with either a:
☐ Certification under 37 CFR 1.97(e), or
☐ a \$240.00 fee under 37 CFR 1.17(p), or
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with a:
☐ Certification under 37 CFR 1.97(e), and
☐ a petition under 37 CFR 1.97(d)(2)(ii), and
☐ a \$130.00 petition fee set forth in 37 CFR 1.17(i)(1).
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☒ Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.



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The relevance of the attached references is that under 37 CFR § 1.97 (e)(1) each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application corresponding to the above-identified application not more than three (3) months prior to the filing of this Information Disclosure Statement.

Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

The Commissioner is hereby authorized to charge any additional fee required or credit any overpayment for this Information Disclosure Statement to Lexicon Genetics Deposit Account No. 50-0892. A copy of this sheet is enclosed.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

August 23, 2002

Date

Lance K. Ishimoto by David W. Haber
Lance K. Ishimoto Reg. No. 41,866

LEXICON GENETICS INCORPORATED
(281) 863-3333



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 OMB 0651-0031

Substitute for form 1449A/PTO

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet (use as many sheets as necessary) 1

Complete if Known

Application Number	09/940,919
Filing Date	Aug 28, 2001
First Named Inventor	Friddle
Group Art Unit	1653
Examiner Name	Not Yet Assigned
Attorney Docket Number	LEX-0228-USA

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ³
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	CL		WO 01/73015 A1		Merck Patent GmbH	10-04-2001		
			International Search Report for					

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

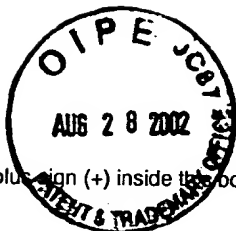
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	CM	McIntire, S.L. et al: "Identification and Characterization of the Vesicular Gaba Transporter", Naure, MacMillan Journals Ltd. London, GB, vol. 389, 23 October 1997, pages 870-876, XP002916395, ISSN: 0028-0836	
	CN	Sagne et al: "Cloning of a functional Vesicular Gaba and Glycine Transporter by Screening of Genome Databases", FEBS Letters, Elsevier Science Publishers, Amsterdam, NL, vol. 417, no. 2, 10 November 1997, pages 177-183, XP002916396, ISSN: 0014-5793	
	CO	Database EMBL 'Online! EBI; 15 December 1999, Peck A.: "Human DNA sequence from clone RP11-11201 on chromosome 20", Database accession no. AL133519, XP002173113	
	CP	International Search Report from Foreign Associate	

Examiner Signature		Date Considered	
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*EXAMINER: Initial reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/940,919	
	Filing Date	Aug 28, 2001	
	First Named Inventor	Friddle, Carl Johan	
	Group Art Unit	1653	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	6	Attorney Docket Number	LEX-0228-USA


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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
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<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Lance K. Ishimoto, Reg. No. 41,866 Lexicon Genetics Incorporated	
Signature	<i>Lance K. Ishimoto by David W. Hubler</i> DAVID W. HUBLER REG. NO. 41,071	24231 PATENT TRADEMARK OFFICE
Date	August 23, 2002	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Arlington, VA 22202 on this date: August 23, 2002			
Typed or printed name	Michelle Klein		
Signature	<i>Michelle Klein</i>	Date	August 23, 2002

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